

**CHARLES ANTHONY WILLIAMS,**

**Plaintiff,**

**vs.**

**FNU KALINOWSKI, et al.,**

**Defendants.**

U.S. 574, 596 (1998) (discussing the). Any of the enumerated types of dismissals count as a strike, “whether [the dismissals are] with prejudice or without.” Lomax v. Ortiz-Marquez, 140 S.Ct. 1721, 1723 (2020).

The Plaintiff has filed at least three prior civil actions that qualify as “strikes” under the PLRA, 28 U.S.C. § 1915(g), including:

Charles A. Williams v. Janet M. Dexter, et al., 5:19-ct-03195-FL (§ 1983 action dismissed with prejudice pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii)) (E.D.N.C. Feb. 10, 2020);

Charles A. Williams v. Jessica B. Helms, 5:19-ct-03023-D (§ 1983 action dismissed as frivolous pursuant to 28 U.S.C. § 1915(e)(2)(B)) (E.D.N.C. Sept. 25, 2019);

Charles A. Williams v. Jessica B. Helms, 5:19-ct-03024-BO (§ 1983 action dismissed pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii)) (E.D.N.C. June 20, 2019);

Charles A. Williams v. Josh Christenson, et al., 5:14-ct-3089-F (§ 1983 action dismissed as frivolous) (E.D.N.C. Nov. 7, 2014).

The Plaintiff is, therefore, subject to 28 U.S.C. § 1915(g)’s bar to filing civil actions in forma pauperis unless he can show that he is under imminent danger of serious physical injury, which he has not done. Therefore, the Order granting the Plaintiff’s application to proceed in forma pauperis is vacated and the Plaintiff is directed to pay the full filing fee of \$405 within 21 days of this Order. If Plaintiff fails to comply, this action will be dismissed without further notice pursuant to § 1915(g).


**IT IS, THEREFORE, ORDERED** that:

1. The Order waiving the initial partial filing fee and directing monthly payments from Plaintiff’s inmate account [Doc. 5] is **VACATED**.
2. The Plaintiff’s Application to Proceed in District Court Without Prepaying Fees and Costs [Doc. 3] is **DENIED**.

3. The Plaintiff is directed to pay the full filing fee of \$405 within **twenty-one (21) days** of this Order. Should the Plaintiff fail to comply, this matter will be dismissed without further notice pursuant to 28 U.S.C. § 1915(g).

**IT IS SO ORDERED.**

Signed: May 31, 2024

A handwritten signature in black ink, appearing to read "Frank D. Whitney", written over a horizontal line.

Frank D. Whitney  
United States District Judge

